

LAW OFFICE OF MICHAEL L. FERCH
195 MONTAGUE STREET, 14TH FLOOR
BROOKLYN, NY 11201

MICHAEL@FERCHLAW.COM
PHONE (917) 519-2967

June 30, 2023

BY ECF

Magistrate Judge Cheryl L. Pollak
Chambers Room 1230
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Ahamed v. 563 Manhattan Inc., et al.; 1:19-cv-06388
(EK) (CLP), Plaintiff's Pre-Motion Letter (Docket #126)

Dear Magistrate Judge Pollak:

This letter is in response to Plaintiff's June 27, 2023 Pre-Motion letter (Dkt. 127) seeking an order from this Court that Defendants produce three (3) years of financial information in order for Plaintiff to have a "productive" non-binding mediation session with Your Honor on July 20th.

There are many reasons why Plaintiff's motion must be denied, including: (a) this is a tort case regarding sexual harassment, not a case sounding in contract or a commercial matter of any sort; (b) Defendants' financial records are not relevant or admissible in this lawsuit; and (3) no liability or damages are determined at a non-binding mediation.

Instead, the pre-motion letter is Plaintiff's thinly-veiled attempt to maximize any settlement demand. Plaintiff's motion should be denied in its entirety.

Respectfully submitted,

Michael L. Ferch
Michael L. Ferch

cc: Zachary Liszka, Esq. (by ECF)